

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby on this 7<sup>th</sup> day of January, 2003, by Steven J. McElroy whose mailing address is 11300 Mahan Dr., Tallahassee, FL 32308 hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the

lawful claims of all persons whomsoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered.

Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR MACK BROS. & ASSOC. INC.

STEVEN J. McEIROY  
(Name typewritten)

(Signature)

President

WITNESSES:

(Sign)

BARRY W. POOLE  
(Print Name)

(Sign)

Michelle Davis  
(Print Name)

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of January, 2003,  
by Steven J. McElroy, who is personally known to me or who has produced  
(name of person acknowledging)

\_\_\_\_\_ as identification.  
(type of identification produced)

K. Michelle Davis

(Signature of Notary)

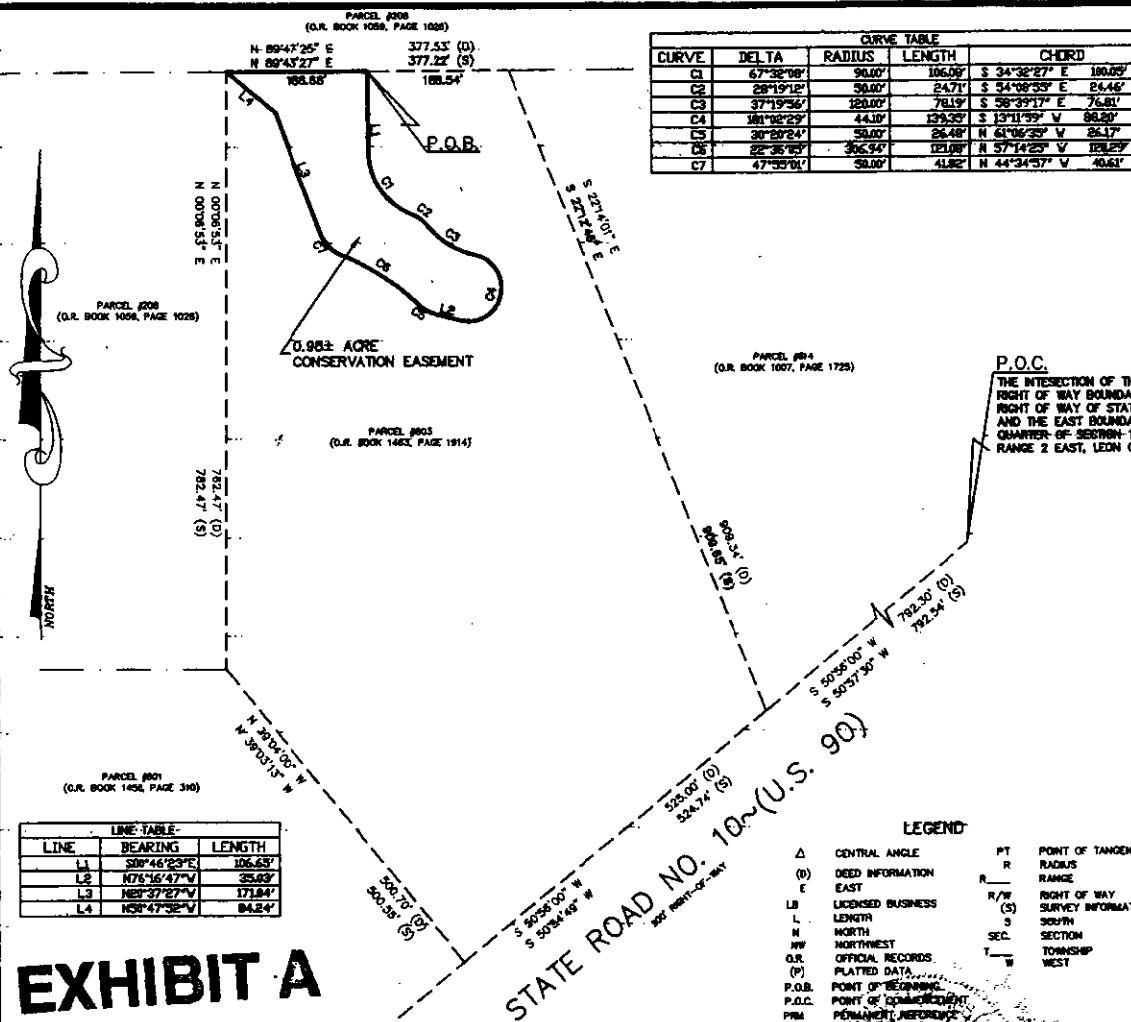
K. Michelle Davis  
(Print, Type or Stamp Name of Notary)

\_\_\_\_\_  
(Title or Rank)

\_\_\_\_\_  
(Serial Number, If Any)



This Instrument was prepared by:  
Herbert W. A. Thiele, Esq., County Attorney  
Leon County Attorney's Office  
301 South Monroe Street  
Tallahassee, Florida 32301



NOTES:  
1) THIS IS NOT A BOUNDARY SURVEY.  
2) BEARINGS ARE BASED ON OVERALL BOUNDARY SURVEY PERFORMED BY THIS FIRM.

LEGAL DESCRIPTION  
A CONSERVATION EASEMENT LOCATED IN SECTION 1, TOWNSHIP 1 NORTH, RANGE 2 EAST, LEON COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the intersection of the Northeastly right of way boundary of the 200 foot right of way of State Road No. 10 (U.S. 90) and the East boundary line of the Southwest Quarter of Section 1, Township 1 North, Range 2 East, Leon County, Florida and run thence South 50 degrees 57 minutes 30 seconds West along said Northeastly right of way boundary a distance of 792.54 feet, thence North 22 degrees 12 minutes 46 seconds West 909.85 feet, thence South 89 degrees 43 minutes 27 seconds West 188.54 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run thence South 00 degrees 48 minutes 23 seconds East 106.65 feet to a point of curve to the left, thence Southeastly along said curve having a radius of 90.00 feet through a central angle of 67 degrees 32 minutes 08 seconds for an arc length of 106.09 feet (chord bears South 34 degrees 32 minutes 27 seconds East 100.00 feet), to a point of reverse curve, thence Southeastly along said curve having a radius of 50.00 feet through a central angle of 28 degrees 19 minutes 18 seconds for an arc length of 24.71 feet (chord bears South 54 degrees 08 minutes 55 seconds East 24.46 feet) to a point of reverse curve, thence Southeastly along said curve having a radius of 100.00 feet through a central angle of 37 degrees 19 minutes 36 seconds for an arc length of 78.19 feet (chord bears South 58 degrees 39 minutes 17 seconds East 76.80 feet) to a point of reverse curve, thence Southeastly along said curve having a radius of 44.10 feet through a central angle of 38 degrees 02 minutes 29 seconds for an arc length of 25.93 feet (chord bears South 13 degrees 11 minutes 39 seconds East 25.17 feet) to a point of reverse curve, thence Southeastly along said curve having a radius of 50.00 feet through a central angle of 30 degrees 50 minutes 24 seconds for an arc length of 26.48 feet (chord bears North 61 degrees 06 minutes 29 seconds East 26.17 feet) to a point of reverse curve, thence Northwestly along said curve having a radius of 306.54 feet through a central angle of 22 degrees 36 minutes 05 seconds for an arc length of 121.89 feet (chord bears North 57 degrees 14 minutes 29 seconds East 120.29 feet) to a point of reverse curve, thence Northwestly along said curve having a radius of 50.00 feet through a central angle of 47 degrees 35 minutes 01 seconds for an arc length of 41.82 feet (chord bears North 44 degrees 34 minutes 37 seconds East 40.61 feet), thence North 20 degrees 37 minutes 27 seconds West 171.04 feet, thence North 50 degrees 47 minutes 52 seconds West 84.24 feet, thence North 89 degrees 43 minutes 27 seconds East 188.54 feet to the POINT OF BEGINNING, containing 0.98 acres, more or less.

**EXHIBIT A**

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BASED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SURVEY PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE CURVE OR ABSTRACT OF MATTERS AFFECTING EASE OR BOUNDARY TO THE SUBJECT PROPERTY. IT IS POSSIBLE THERE ARE DEEDS OF RECORD UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT BOUNDARIES.

DRAWN BY: BD  
CHECKED BY: BFB  
DATE: 01/03/03  
REVISION:  
SCALE: 1" = 200'

NO. 51723/03  
BARBARA JO BERGSTROM  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA  
LICENSE NO. 5754

**POOLE ENGINEERING & SURVEYING, Inc.**  
LB NO. 6745  
2145 DELTA BOULEVARD, SUITE 100  
TALLAHASSEE, FLORIDA 32303  
TELEPHONE #: (850) 386-5117

**SKETCH AND DESCRIPTION OF A 0.98± ACRE CONSERVATION EASEMENT LOCATED IN SECTION 1, T-1-N, R-2-E LEON COUNTY, FLORIDA**  
**MACK BROTHERS**

1  
OF 1  
01127-CE3

LINE TABLE		
LINE	BEARING	LENGTH
L1	S50°34'49"V	139.47'
L2	N38°11'44"V	80.68'
L3	N42°47'31"V	66.73'
L4	N24°38'29"V	169.38'
L5	N26°07'39"V	81.64'
L6	N49°05'03"E	45.04'

LEGAL DESCRIPTION  
A CONSERVATION EASEMENT LOCATED IN SECTION 1, TOWNSHIP 1 NORTH, RANGE 2  
EAST, LEON COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

Commence at the intersection of the Northeasterly right of way boundary of the 200 foot right of way of State Road No. 10 (U.S. 90) and the East boundary line of the Southwest quarter of Section 1, Township 1 North, Range 2 East, Leon County, Florida and run thence South 50 degrees 57 minutes 30 seconds West along said Northeasterly right of way boundary a distance of 792.54 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue along said right of way boundary South 50 degrees 54 minutes 40 seconds West 138.47 feet to a point lying on a curve concave Southwesterly, thence leaving a said right of way run Northeasterly along said curve having a radius of 30.00 feet through a central angle of 83 degrees 35 minutes 44 seconds for an arc length of 43.77 feet (chord bears North 81 degrees 06 minutes 21 seconds West 39.99 feet), thence North 38 degrees 11 minutes 44 seconds West 80.88 feet, thence North 42 degrees 47 minutes 31 seconds West 66.71 feet to a point lying on a curve concave Northeasterly, thence Northeasterly along said curve having a radius of 175.00 feet through a central angle of 70 degrees 24 minutes 14 seconds for an arc length of 215.04 feet (chord bears North 10 degrees 21 minutes 38 seconds East 201.78 feet), thence North 24 degrees 50 minutes 29 seconds West 189.30 feet, thence North 28 degrees 07 minutes 39 seconds West 81.84 feet to a point of curve to the right, thence Northeasterly along said curve having a radius of 110.00 feet through a central angle of 75 degrees 12 minutes 43 seconds for an arc length of 144.40 feet (chord bears North 11 degrees 28 minutes 42 seconds East 134.25 feet), thence North 49 degrees 05 minutes 03 seconds East 45.04 feet, thence South 22 degrees 12 minutes 48 seconds East 687.22 feet to the POINT OF BEGINNING, containing 2.02 acres, more or less.

# EXHIBIT A

DRAWN BY :	BD
CHECKED BY :	BFB
DATE :	01/03/03
REVISED:	
SCALE	1" = 200'

## LEGEND:

<p>△ CENTRAL ANGLE</p> <p>(D) DEED INFORMATION</p> <p>⊂ EAST</p> <p>LB LICENSED BUSINESS</p> <p>L LENGTH</p> <p>N NORTH</p> <p>NW NORTHWEST</p> <p>O.R. OFFICIAL RECORDS</p> <p>(P) PLATTED DATA</p> <p>P.O.B. POINT OF BEGINNING</p> <p>P.O.C. POINT OF COMMENCEMENT</p> <p>PRM. PERMANENT IMPROVEMENTS</p>	<p>PT POINT OF TANGENCY</p> <p>R RADII</p> <p>RANGE RANGE</p> <p>R/W R/W</p> <p>(S) SURVEY INFORMATION</p> <p>SOUTH -</p> <p>SEC. SECTION</p> <p>T TOWNSHIP</p> <p>W WEST</p>
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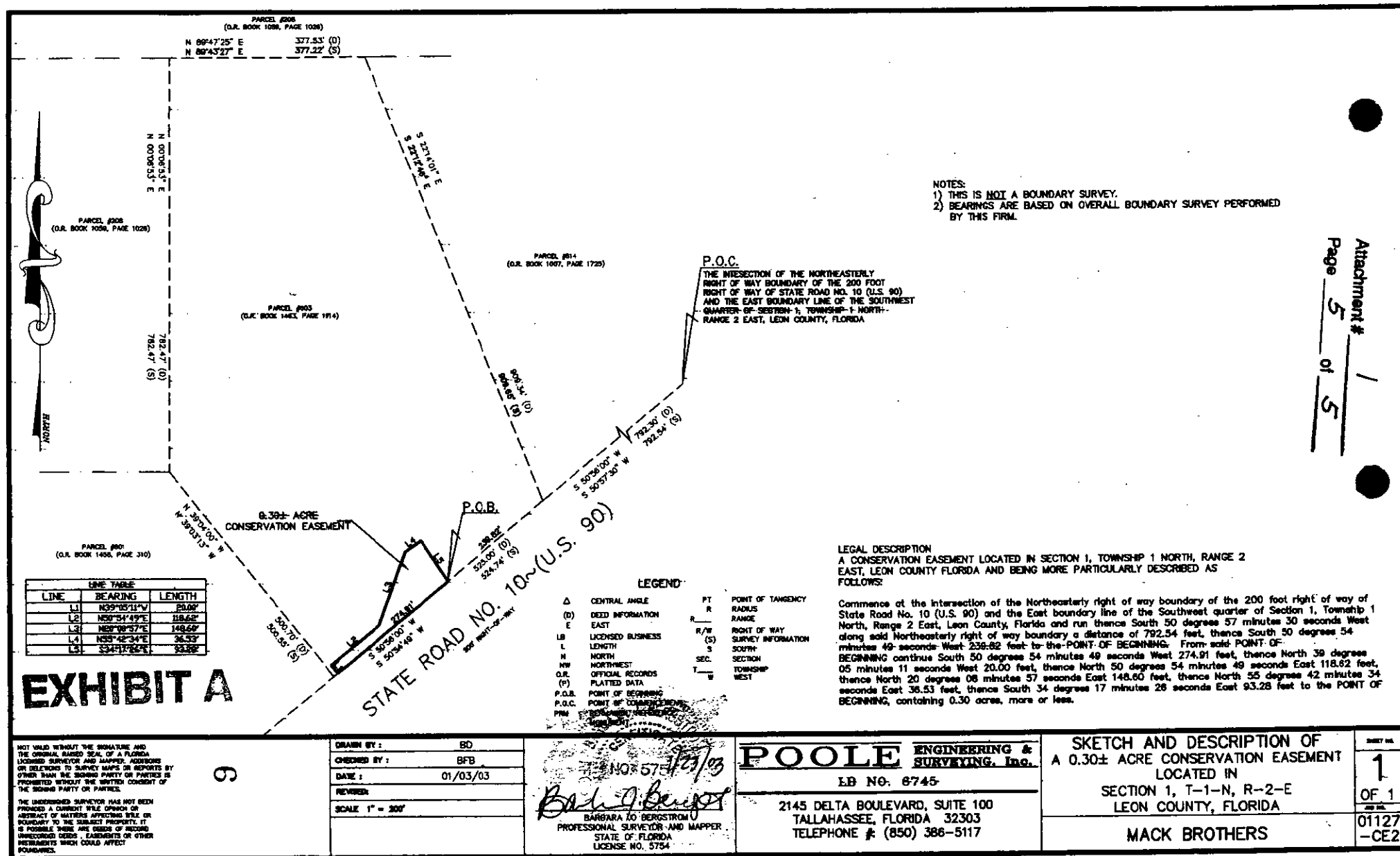
**POOLE** **ENGINEERING &  
SURVEYING, Inc.**  
LB. NO. 6745  
2145 DELTA BOULEVARD, SUITE 100  
TALLAHASSEE, FLORIDA 32303  
TELEPHONE # (850) 386-5117

SKETCH AND DESCRIPTION OF  
A 2.02± ACRE CONSERVATION EASEMENT  
LOCATED IN  
SECTION 1, T-1-N, R-2-E  
LEON COUNTY, FLORIDA

**MACK BROTHERS**

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER. ADDITIONS  
OR CHANGES TO SURVEY MAPS OR CERTIFICATES BY  
OTHER THAN THE SIGNING PARTY OR PARTIES IS  
PROHIBITED WITHOUT THE WRITTEN CONSENT OF  
THE SIGNING PARTY OR PARTIES.

THE UNDERSIGNED SURVEYOR HAS NOT BEEN  
PROVIDED A CURRENT TITLE OPINION OR  
ABSTRACT OF MATTERS AFFECTING TITLE OR  
BOUNDARY TO THE SUBJECT PROPERTY. IT  
IS POSSIBLE THERE ARE DEEDS OF RECORD  
UNRECORDED DEEDS, A LEASES, OR OTHER  
INSTRUMENTS WHICH COULD AFFECT  
BOUNDARIES.



Attachment # 1  
Page 5 of 5